

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
ROBERT L. WILMOT,

Plaintiff,

-against-

MONSANTO COMPANY,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY  
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19 Civ. 9785 (AT)

**ORDER**

On January 7, 2020, the Court ordered the parties to submit a joint letter and proposed case management plan by February 26, 2020. ECF No. 5. The submission being overdue, the Court issued an order directing the parties to submit their joint letter and proposed case management plan by February 28, 2020. ECF No. 7. That submission was also overdue. On March 2, 2020 the Court directed the parties to submit their joint letter and proposed case management plan by March 11, 2020. ECF No. 8. That submission is also overdue. On March 17, 2020, the Court direct the parties to submit their joint letter and proposed case management plan by April 14, 2020. ECF No. 10. That deadline has also passed.

Accordingly, the initial pretrial conference scheduled for April 21, 2020 is ADJOURNED to **May 21, 2020, at 10:20 a.m.** By **May 14, 2020**, the parties shall submit their joint letter and proposed case management plan. Moreover, the complaint states that this case is implicated by a pending Multidistrict Litigation (“MDL”). Compl. ¶ 6, ECF No. 1. In the joint letter, Plaintiff shall provide an update as to whether Plaintiff expects this case to be transferred to the pending MDL.

Plaintiff has failed to comply with multiple court orders and is reminded that under Rule 41(b) of the Federal Rules of Civil Procedure, an action may be dismissed “[i]f the plaintiff fails to prosecute or to comply with [the federal rules] or a court order.” “Rule 41(b) gives the district court authority to dismiss a plaintiff’s case *sua sponte* for failure to prosecute.” *Davis v. Town of Hempstead*, 597 F. App’x 31, 32 (2d Cir. 2015) (internal quotation marks omitted).

SO ORDERED.

Dated: April 17, 2020  
New York, New York



ANALISA TORRES  
United States District Judge